

Meeting Date: November 15, 2007

Agenda Item No. 11

Agenda Item: Outfitter Set-Aside (Action)

Approved by: _____

Prepared by: Brad Compton

Background:

The Commission establishes quotas for nonresident deer and elk tags prior to nonresident licenses and tags going on sale December 1. Additionally, the Commission establishes quotas for outfitter set-aside tags. Outfitter set-aside tags are a subset of total nonresident tags, and not in addition to.

Limited elk zone tag quotas are typically set in March; however any changes to zone tag quotas needs to be in effect prior to the sale of nonresident elk tags. The Department anticipates no changes to the current elk zone quotas, with possible exception of the Selway Zone.

A population survey conducted during January 2007 indicates the wintering population in Units 16A, 17, 19, and 20 (Selway Zone) continues to decline with reductions primarily occurring in the cow and calf segments of the population. Bull numbers remain stable from the previous surveys in 2001 and 2004. Population models predict that current male calf recruitment is not high enough to offset current bull harvest.

Conversely, other information suggests the Selway elk population is meeting hunter's expectations. The Selway Zone receives the highest demand from nonresident hunters as evidenced by tags being sold out within a few hours. Elk hunters in the Selway Zone enjoy among the highest general season success rates observed in Idaho. Additionally, total bull harvest and the number of 6 point bulls harvested have increased over the past 8 years. Because of the remote nature of the Selway Zone, numerous outfitters operate within the zone and a high percentage of hunters are nonresident.

Staff are continuing to analyze data and coordinating with affected stakeholders to determine an appropriate course of action for the Selway Zone. Staff will make a recommendation during presentation of this agenda item. Current quotas for capped elk zones are shown in the table below.

Zone/Tag Type	Total Tags	Resident Tags	Nonresident Tags	Outfitter Allocation
Lolo 'B' Tags	1,600	1,008	356	236
Selway 'B' Tags	1,255	563	336	356
Middle Fork 'A' Tags	1,551	1,168	174	209
Middle Fork 'B' Tags	1,636	925	267	444
Elk City 'B' Tags	1,790	1,414	326	50
Dworshak 'B' Tags	2,380	2,118	215	47

Statutory Authority and/or Policy Issues:

Idaho Code

36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS -- NONRESIDENTS LIMITED -- OUTFITTERS SET-ASIDE.

(3) Outfitters Set-aside. When the commission establishes a limit as to the number of nonresident deer tags and nonresident elk tags, it shall set aside annually a maximum of twenty-five percent (25%) of the nonresident deer tag and nonresident elk tag limit. The set-aside tags shall be sold pursuant to commission rule, only to persons that have entered into an agreement for that year to utilize the services of an outfitter licensed pursuant to chapter 21, title 36, Idaho Code.

In order for a person to purchase any set-aside nonresident deer tag or nonresident elk tag, that person's outfitter must submit an application with the proper fees as required by the director. If any nonresident deer tags or nonresident elk tags set aside pursuant to this subsection are unsold

by July 1 of the year in which they were set aside, they may be sold by the department to the general public who are nonresidents. The commission may promulgate all necessary rules to implement the provisions of this subsection.

IDAPA

13.01.04.500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

01. Tags. The following number of nonresident deer tags and nonresident elk tags shall annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter who is licensed under Chapter 21, Title 36, Idaho Code. For the each Hunting Season: (3-20-04)

a. One thousand nine hundred (1,900) deer tags (regular or White-tailed); (8-14-07)T

b. Eighty-five (85) S.E. Idaho Area deer tags; (3-20-04)

c. Two thousand four hundred (2,400) elk tags (A or B tags for all zones; (3-20-04)

02. Restrictions. These tags shall be sold on a first-come, first-serve basis through June 30 of each year. Application for purchase of these tags shall be made by the outfitter for the nonresident on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the nonresident hunter has a contract to hunt with the outfitter making application. (7-1-93)

03. Unsold Tags. Any tags not sold by July 1 of each year shall be sold by the Department to nonresidents on a first-come, first serve basis. If there is a waiting list of individuals desiring a tag for the species available, those individuals will be first served. Application shall be made only to the Headquarters office of the Department of Fish and Game in Boise, Idaho. (7-1-99)

13.01.04.505. DEER AND ELK TAG ALLOCATION.

01. Allocation of Tags. Pursuant to Idaho Code, Section 36-408, the Fish and Game Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with licensed outfitters in zones with limited numbers of tags. The allocation will be calculated on a zone basis with reductions or increases in hunting opportunities to be proportionate among resident hunters, nonoutfitted nonresident hunters, and outfitted hunters. When the number of hunters in a general hunt unit or zone becomes restricted, the Department will calculate the initial number of allocated tags for each zone using the Idaho Outfitters and Guides Licensing Board's records of average historic use during the previous five (5) year period. Where it is biologically feasible, any reductions in the number of tags available within a zone which exceeds twenty percent (20%) will be spread over a three (3) year period with a maximum reduction of fifty percent (50%) taken in the first year and twenty-five percent (25%) in the second year. When an area becomes controlled, hunt application and eligibility rules will apply to allocated tags in controlled hunts. Only those units or zones with licensed outfitted areas with historic use will be considered for tag allocation.

Public Involvement Process:

The Outfitters & Guides Association and Idaho Outfitters & Guides Licensing Board were consulted with.

Staff Recommendation:

Staff recommends adoption of the following 2008 outfitted set-aside quotas:

Tag Type	Total	Outfitter Set-Aside
Total Elk (All Zones)	12,815	2,400
Regular Deer*	12,800	1,900
Southeast Deer	1,200	85
Total Deer	15,500	1,985

* Regular tags include Regular & White-tailed deer tags.

Staff also recommends no separate outfitter set-aside quota be established for the proposed additional nonresident white-tailed deer tag quota. The recommendation is no change from current rules (IDAPA 13.01.04.500).

Staff will also provide a recommendation for the Selway Zone.

Justification:

Commission action required to establish outfitter set-aside and adjust quotas in capped zones.